

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PERSONALIZED MEDIA
COMMUNICATIONS, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

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Case No. 2:15-cv-01366-JRG-RSP

ORDER

Defendant Apple Inc. previously filed a Motion for Summary Judgment of Invalidity of U.S. Patent No. 8,191,091 Under § 101 (Dkt. No. 264.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 458), recommending denial of Apple Inc.'s Motion for Summary Judgment of Invalidity of U.S. Patent No. 8,191,091 Under § 101. Apple has now filed Objections (Dkt. No. 470), with Plaintiff Personalized Media Communications, LLC filing a Response (Dkt. No. 492.)

After conducting a *de novo* review of the briefing on the Motion for Summary Judgment of Invalidity of U.S. Patent No. 8,191,091 Under § 101, the Report and Recommendation, and the briefing on Apple's Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was erroneous. Consequently, the Court **OVERRULES** Apple's Objections and **ADOPTS** the Report and Recommendation and orders that the Motion for Summary Judgment of Invalidity of U.S. Patent No. 8,191,091 Under § 101 (Dkt. No. 264) is **DENIED**.

So ORDERED and SIGNED this 12th day of March, 2021.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE